

# Exhibit A

**From:** Zhu, Michelle J. MZhu@gibsondunn.com  
**Subject:** RE: Headwater v. Verizon (23-cv-352) (E.D. Tex.) - ESI Custodians  
**Date:** October 24, 2024 at 2:20 PM  
**To:** Dale Chang dchang@raklaw.com  
**Cc:** rak\_headwater@raklaw.com, \*\*\* GDCVerizon-Headwater GDCVerizon-Headwater@gibsondunn.com, HLVerizon Headwater HLVerizonHeadwater@hoganlovells.com

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Hi Dale,

Thank you for meeting and conferring last week. We can agree to produce the documents for Jae Cho and Venkat Gaddam. For the remaining custodians, we've identified the current search terms, the total hit counts per custodian, and highlighted the terms for which the hit counts exceed 500 hits, including families, for further narrowing.

**Sid Sibal** (20,550 hits)

- (background OR chatty OR foreground) w/5 (process! OR activit! OR app! OR data OR usage OR traffic! OR congest! OR overload! OR metric! OR threshold OR block! OR prevent! OR disable! OR disallow! OR restrict! OR initiate!) – 4,480 hits, including families
- "data saver" OR "power saving" OR "doze mode" OR "app standby" OR "low power mode" – 3,340 hits, including families
- ItsOn – 0 hits, including families
- (Raleigh OR Headwater) AND (patent! OR mark! OR IP OR "intellectual property" OR invest! OR pilot OR project OR copy! OR copied OR reverse!) – 1,089 hits, including families
- PCO! OR "protocol configuration option" OR "access bearer" OR "FF00H" – 5,653 hits, including families
- **10/8 REVISED TERM:** (QoS OR "quality of service" OR QCI OR 5QI) w/10 class! – 556 hits, including families
- **10/11 REVISED TERM:** ((Android or iOS or device) w/5 (requirement! OR reqs! OR cdd OR "compatibility definition")) w/20 (congest! OR background OR foreground OR capacity OR chatty) – 203 hits, including families
- throttl! OR ((rate OR bandwidth OR speed) w/3 limit!) OR (deprioritiz! w/3 (data OR traffic)) – 5,229 hits, including families
- (8,589,541 OR 8589541 OR "13/134,028" OR 13134028 OR "2011/0314145" OR 2011/0314145 OR "2012/0324091" OR 20120324091) OR (8,924,543 OR 8924543 OR "13/248,025" OR 13248025 OR "2012/0089727" OR 20120089727) OR (9,198,042 OR 9198042 OR "13/737,748" OR 13737748 OR "2013/0145422" OR 20130145422) OR ("9,215,613" OR 9215613 OR "14/685,511" OR 14685511 OR "2015/0223100" OR 20150223100) – 0 hits, including families

**Kartik Umamheswaran** (42,717 total)

- **10/11 REVISED TERM:** (background w/5 (process! OR activit! OR app! OR data OR usage OR traffic!)) w/10 (prevent! OR disable! OR disallow! OR restrict! OR block!)) – 10,062, including families
- **10/11 REVISED TERM:** ("data saver" OR "doze" OR "background app refresh" or "low power mode") w/10 (congest! OR background OR foreground OR capacity OR chatty OR traffic) – 13,274 hits, including families
- **10/11 REVISED TERM:** (PCO! OR ("protocol configuration" w/3 option!) OR "FF00H") w/10 (restrict! OR block! OR redirect! OR activat! OR restor!) AND NOT "test plan" – 7,514 hits, including families

- **10/8 REVISED TERM:** (QoS OR "quality of service" OR QCI OR 5QI) w/10 class! – 2,543 hits, including families
- **10/11 REVISED TERM:** ((Android or iOS or device) w/5 (requirement! OR reqs! OR cdd OR "compatibility definition")) w/20 (congest! OR background OR foreground OR capacity OR chatty) – 3,059 hits, including families
- **10/8 REVISED TERM:** (thrott! OR deprioritiz!) w/5 (data OR stream! OR download! OR traffic) – 4,639 hits, including families
- (8,589,541 OR 8589541 OR "13/134,028" OR 13134028 OR "2011/0314145" OR 2011/0314145 OR "2012/0324091" OR 20120324091) OR (8,924,543 OR 8924543 OR "13/248,025" OR 13248025 OR "2012/0089727" OR 20120089727) OR (9,198,042 OR 9198042 OR "13/737,748" OR 13737748 OR "2013/0145422" OR 20130145422) OR ("9,215,613" OR 9215613 OR "14/685,511" OR 14685511 OR "2015/0223100" OR 20150223100) – 1,130 hits, including families
- ItsOn - 0 hits, including families
- (Raleigh OR Headwater) AND (patent! OR mark! OR IP OR "intellectual property" OR invest! OR pilot OR project OR copy! OR copied OR reverse!) – 496 hits, including families

**Robert Hammer** (16,239 total)

- **10/11 REVISED TERM:** (PCO! OR ("protocol configuration" w/3 option!) OR "FF00H") w/10 (restrict! OR block! OR redirect! OR activat! OR restor!) AND NOT "test plan" – 561 hits, including families
- **10/11 REVISED TERM:** (thrott! OR deprioritiz!) w/5 (data OR stream! OR download! OR traffic) AND NOT "data retry" – 12,213 hits, including families
- **10/11 REVISED TERM:** (QoS OR "quality of service" OR QCI OR 5QI) w/10 classif! – 124 hits, including families
- (background OR chatty OR foreground) w/5 (process! OR activit! OR app! OR data OR usage OR traffic! OR congest! OR overload! OR metric! OR threshold OR block! OR prevent! OR disable! OR disallow! OR restrict! OR initiate!) -2,218 hits, including families
- "advanced data services" OR ADSP – 22 hits, including families
- ItsOn – 0 hits, including families
- (Raleigh OR Headwater) AND (patent! OR mark! OR IP OR "intellectual property" OR invest! OR pilot OR project OR copy! OR copied OR reverse!) – 968 hits, including families
- "data saver" OR "power saving" OR "doze mode" OR "app standby" OR "low power mode" – 133 hits, including families
- (8,589,541 OR 8589541 OR "13/134,028" OR 13134028 OR "2011/0314145" OR 2011/0314145 OR "2012/0324091" OR 20120324091) OR (8,924,543 OR 8924543 OR "13/248,025" OR 13248025 OR "2012/0089727" OR 20120089727) OR (9,198,042 OR 9198042 OR "13/737,748" OR 13737748 OR "2013/0145422" OR 20130145422) OR ("9,215,613" OR 9215613 OR "14/685,511" OR 14685511 OR "2015/0223100" OR 20150223100) - 0

**Steve Kolanowski** (11,926 hits)

- **10/11 REVISED TERM:** (PCO! OR ("protocol configuration" w/3 option!) OR "FF00H") w/10 (restrict! OR block! OR redirect! OR activat! OR restor!) AND

PROPERTY, W/10 (process! OR block! OR restrict! OR activat! OR restrict! OR NOT "test plan" – 344 hits, including families

- **10/8 REVISED TERM:** (thrott! OR deprioritiz!) w/5 (data OR stream! OR download! OR traffic) – 2,559 hits, including families
- **10/11 REVISED TERM:** (QoS OR "quality of service" OR QCI OR 5QI) w/10 classif! – 93 hits, including families
- **10/8 REVISED TERM:** (background w/5 (process! OR activit! OR app! OR data OR usage OR traffic!)) AND (prevent! OR disable! OR disallow! OR restrict!)) – 5,327 hits, including families
- "advanced data services" OR ADSP – 19 hits, including families
- ItsOn – 0 hits, including families
- (Raleigh OR Headwater) AND (patent! OR mark! OR IP OR "intellectual property" OR invest! OR pilot OR project OR copy! OR copied OR reverse!) – 2,821 hits, including families
- "data saver" OR "power saving" OR "doze mode" OR "app standby" OR "low power mode" – 763 hits, including families
- (8,589,541 OR 8589541 OR "13/134,028" OR 13134028 OR "2011/0314145" OR 2011/0314145 OR "2012/0324091" OR 20120324091) OR (8,924,543 OR 8924543 OR "13/248,025" OR 13248025 OR "2012/0089727" OR 20120089727) OR (9,198,042 OR 9198042 OR "13/737,748" OR 13737748 OR "2013/0145422" OR 20130145422) OR ("9,215,613" OR 9215613 OR "14/685,511" OR 14685511 OR "2015/0223100" OR 20150223100) – 0 hits, including families

**Barry Hoffner** (20,407 hits)

- ((Russell w/5 (Thomas OR Thom OR Tom)) OR trussell! OR thom.russell!) AND (whistle! OR complain! OR lawsuit OR sued OR ItsOn OR Headwater OR Raleigh OR fired OR terminat!) – 321 hits, including families
- "advanced data services" OR ADSP – 422 hits, including families
- (Raleigh OR Headwater) AND (patent! OR mark! OR IP OR "intellectual property" OR invest! OR pilot OR project OR copy! OR copied OR reverse!) – 4,214 hits, including families
- (background OR chatty OR foreground) w/5 (process! OR activit! OR app! OR data OR usage OR traffic! OR congest! OR overload! OR metric! OR threshold OR block! OR prevent! OR disable! OR disallow! OR restrict! OR initiate!) – 4,830 hits, including families
- PCO! OR ("protocol configuration" w/3 option!) OR "access bearer" OR "FF00H" – 5,383 hits, including families
- **10/8 REVISED TERM:** (QoS OR "quality of service" OR QCI OR 5QI) w/10 class! – 2,897 hits, including families
- **10/11 REVISED TERM:** ((Android or iOS or device) w/5 (requirement! OR reqs! OR cdd OR "compatibility definition")) w/20 (congest! OR background OR foreground OR capacity OR chatty) – 1,417 hits, including families
- "ItsOn" – 730 hits, including families
- "data saver" OR "power saving" OR "doze mode" OR "app standby" OR "low power mode" – 191 hits, including families
- (8,589,541 OR 8589541 OR "13/134,028" OR 13134028 OR "2011/0314145" OR 2011/0314145 OR "2012/0324091" OR 20120324091) OR (8,924,543 OR

8924543 OR "13/248,025" OR 13248025 OR "2012/0089727" OR 20120089727) OR (9,198,042 OR 9198042 OR "13/737,748" OR 13737748 OR "2013/0145422" OR 20130145422) OR ("9,215,613" OR 9215613 OR "14/685,511" OR 14685511 OR "2015/0223100" OR 20150223100) – 7 hits, including families

**Kyle Malady** (9,452 total)

- ((Russell w/5 (Thomas OR Thom OR Tom)) OR trussell! OR thom.russell!) AND (whistle! OR complain! OR lawsuit OR sued OR ItsOn OR Headwater OR Raleigh OR fired OR terminat!) – 81 hits, including families
- "advanced data services" OR ADSP – 282 hits, including families
- ItsOn – 111 hits, including families
- (Raleigh OR Headwater) AND (patent! OR mark! OR IP OR "intellectual property" OR invest! OR pilot OR project OR copy! OR copied OR reverse!) – 4,896 hits, including families
- (background OR chatty OR foreground) w/5 (process! OR activit! OR app! OR data OR usage OR traffic! OR congest! OR overload! OR metric! OR threshold OR block! OR prevent! OR disable! OR disallow! OR restrict! OR initiate!) – 2,841 hits, including families
- PCO! OR ("protocol configuration" w/3 option!) OR "access bearer" OR "FF00H" – 1,001 hits, including families
- **10/8 REVISED TERM:** (QoS OR "quality of service" OR QCI OR 5QI) w/10 class! – 170 hits, including families
- "data saver" OR "power saving" OR "doze mode" OR "app standby" OR "low power mode" – 282 hits, including families
- **10/11 REVISED TERM:** ((Android or iOS or device) w/5 (requirement! OR reqs! OR cdd OR "compatibility definition")) w/20 (congest! OR background OR foreground OR capacity OR chatty) – 41 hits, including families
- (8,589,541 OR 8589541 OR "13/134,028" OR 13134028 OR "2011/0314145" OR 2011/0314145 OR "2012/0324091" OR 20120324091) OR (8,924,543 OR 8924543 OR "13/248,025" OR 13248025 OR "2012/0089727" OR 20120089727) OR (9,198,042 OR 9198042 OR "13/737,748" OR 13737748 OR "2013/0145422" OR 20130145422) OR ("9,215,613" OR 9215613 OR "14/685,511" OR 14685511 OR "2015/0223100" OR 20150223100) – 7 hits, including families

**Jae Cho**

- (background OR chatty OR foreground) w/5 (process! OR activit! OR app! OR data OR usage OR traffic! OR congest! OR overload! OR metric! OR threshold OR block! OR prevent! OR disable! OR disallow! OR restrict! OR initiate!)
- "data saver" OR "power saving" OR "doze mode" OR "app standby" OR "low power mode"
- "ItsOn"
- (Raleigh OR Headwater) AND (patent\* OR mark\* OR IP OR "intellectual property" OR invest\* OR pilot OR project OR copy\* OR copied OR reverse\*)
- PCO! OR "protocol configuration option" OR "access bearer" OR "FF00H"
- QoS OR "quality of service" OR QCI OR 5QI OR (classif! w/3 traffic)
- (Android or iOS or device) w/5 (requirement! OR reqs! OR cdd OR "compatibility definition")

compatibility definition )

- throttl! OR ((rate OR bandwidth OR speed) w/3 limit!) OR (deprioritiz! w/3 (data OR traffic))
- (8,589,541 OR 8589541 OR "13/134,028" OR 13134028 OR "2011/0314145" OR 2011/0314145 OR "2012/0324091" OR 20120324091) OR (8,924,543 OR 8924543 OR "13/248,025" OR 13248025 OR "2012/0089727" OR 20120089727) OR (9,198,042 OR 9198042 OR "13/737,748" OR 13737748 OR "2013/0145422" OR 20130145422) OR ("9,215,613" OR 9215613 OR "14/685,511" OR 14685511 OR "2015/0223100" OR 20150223100)

**Venkat Gaddam (2,809 total)**

- ((Russell w/5 (Thomas OR Thom OR Tom)) OR trussell! OR thom.russell!) AND (whistle! OR complain! OR lawsuit OR sued OR ItsOn OR Headwater OR Raleigh OR fired OR terminat!)
- "advanced data services" OR ADSP
- ItsOn
- (Raleigh OR Headwater) AND (patent! OR mark! OR IP OR "intellectual property" OR invest! OR pilot OR project OR copy! OR copied OR reverse!)
- (background OR chatty OR foreground) w/5 (process! OR activit! OR app! OR data OR usage OR traffic! OR congest! OR overload! OR metric! OR threshold OR block! OR prevent! OR disable! OR disallow! OR restrict! OR initiate!)
- **10/11 REVISED TERM:** ((Android or iOS or device) w/5 (requirement! OR reqs! OR cdd OR "compatibility definition")) w/20 (congest! OR background OR foreground OR capacity OR chatty)
- PCO! OR ("protocol configuration" w/3 option!) OR "access bearer" OR "FF00H"
- QoS OR "quality of service" OR QCI OR 5QI OR (classif! w/3 traffic)
- "data saver" OR "power saving" OR "doze mode" OR "app standby" OR "low power mode"
- (8,589,541 OR 8589541 OR "13/134,028" OR 13134028 OR "2011/0314145" OR 2011/0314145 OR "2012/0324091" OR 20120324091) OR (8,924,543 OR 8924543 OR "13/248,025" OR 13248025 OR "2012/0089727" OR 20120089727) OR (9,198,042 OR 9198042 OR "13/737,748" OR 13737748 OR "2013/0145422" OR 20130145422) OR ("9,215,613" OR 9215613 OR "14/685,511" OR 14685511 OR "2015/0223100" OR 20150223100)

**Michelle J. Zhu**  
Associate Attorney

T: +1 202.777.9413 | M: +1 202.768.1709  
[MZhu@gibsondunn.com](mailto:MZhu@gibsondunn.com)

**GIBSON DUNN**

Gibson, Dunn & Crutcher LLP  
1700 M Street, N.W., Washington, D.C. 20036-4504

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**From:** Dale Chang <dchang@raklaw.com>  
**Sent:** Wednesday, October 16, 2024 12:08 PM  
**To:** Zhu, Michelle J. <MZhu@gibsondunn.com>  
**Cc:** rak\_headwater@raklaw.com; \*\*\* GDCVerizon-Headwater <GDCVerizon-

Headwater@gibsondunn.com>; HLVerizon Headwater  
<HLVerizonHeadwater@hoganlovells.com>

**Subject:** Re: Headwater v. Verizon (23-cv-352) (E.D. Tex.) - ESI Custodians

Thanks Michele, see you then.

**Dale Chang**

**Russ August & Kabat**

Main +1 310 826 7474 | [dchang@raklaw.com](mailto:dchang@raklaw.com) | [www.raklaw.com](http://www.raklaw.com)

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On Oct 16, 2024, at 10:47 AM, Zhu, Michelle J.  
<[MZhu@gibsondunn.com](mailto:MZhu@gibsondunn.com)> wrote:

Hi Dale,

Tomorrow at 10 AM CT works for us. Please use the following link or dial-in number tomorrow.

Michelle Zhu's Meeting Room:

First, click: <https://meet.loopup.com/1Q5tQcZQTx>

Know who's on and who's speaking  
LoopUp calls your phone - no need to dial in  
And view when the leader shares their screen

Or, if you are offline, dial in:  
(by joining, you agree to the privacy policy at [loopup.com](http://loopup.com))  
Guest Dial-in Code: 7019001#  
USA Toll Free: 1 877 420 0272  
Additional dial-in numbers:  
USA Local: +1 631 270 1376  
USA Toll Free: 1 877 420 0272

Service provided by LoopUp

**Michelle J. Zhu**

Associate Attorney

T: +1 202.777.9413 | M: +1 202.768.1709  
[MZhu@gibsondunn.com](mailto:MZhu@gibsondunn.com)

**GIBSON DUNN**

Gibson, Dunn & Crutcher LLP  
1700 M Street, N.W., Washington, D.C. 20036-4504

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**From:** Dale Chang <[dchang@raklaw.com](mailto:dchang@raklaw.com)>  
**Sent:** Wednesday, October 16, 2024 9:25 AM  
**To:** Zhu, Michelle J. <[MZhu@gibsondunn.com](mailto:MZhu@gibsondunn.com)>  
**Cc:** [rak\\_headwater@raklaw.com](mailto:rak_headwater@raklaw.com); \*\*\* GDCVerizon-Headwater <[GDCVerizon-Headwater@gibsondunn.com](mailto:GDCVerizon-Headwater@gibsondunn.com)>; HLVerizon Headwater <[HLVerizonHeadwater@hoganlovells.com](mailto:HLVerizonHeadwater@hoganlovells.com)>; \*\*\* GDCVerizon-Headwater

<HLVerizonHeadwater@hoganlovells.com>, GDCVerizonHeadwater  
<GDCVerizon-Headwater@gibsondunn.com>

**Subject:** Re: Headwater v. Verizon (23-cv-352) (E.D. Tex.) - ESI Custodians

Hi Michelle - can we do 2p CT today or 10a CT tmw?

**Dale Chang**

**Russ August & Kabat**

[dchang@raklaw.com](mailto:dchang@raklaw.com) | [www.raklaw.com](http://www.raklaw.com)

On Oct 15, 2024, at 12:00 PM, Zhu, Michelle J.  
<[MZhu@gibsondunn.com](mailto:MZhu@gibsondunn.com)> wrote:

Counsel,

Attached are updated hit counts for your revised terms. Many of Headwater's revised and unrevised terms are still significantly overbroad and improperly use "OR" searches, which expressly violates the terms of the ESI orders.

Given Headwater's request to meet and confer, can you please propose some times this week? Thank you.

**Michelle J. Zhu**

*Associate Attorney*

T: +1 202.777.9413 | M: +1 202.768.1709  
[MZhu@gibsondunn.com](mailto:MZhu@gibsondunn.com)

**GIBSON DUNN**

Gibson, Dunn & Crutcher LLP  
1700 M Street, N.W., Washington, D.C. 20036-4504

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**From:** Dale Chang <[dchang@raklaw.com](mailto:dchang@raklaw.com)>  
**Sent:** Friday, October 11, 2024 12:59 PM  
**To:** Zhu, Michelle J. <[MZhu@gibsondunn.com](mailto:MZhu@gibsondunn.com)>  
**Cc:** [rak\\_headwater@raklaw.com](mailto:rak_headwater@raklaw.com); \*\*\* GDCVerizon-Headwater <[GDCVerizon-Headwater@gibsondunn.com](mailto:GDCVerizon-Headwater@gibsondunn.com)>; HLVerizon Headwater <[HLVerizonHeadwater@hoganlovells.com](mailto:HLVerizonHeadwater@hoganlovells.com)>  
**Subject:** Re: Headwater v. Verizon (23-cv-352) (E.D. Tex.) - ESI Custodians

Thanks Michelle - see attached for our further revised terms. Please confirm Verizon will begin producing ESI docs by next week. To the extent there are any remaining objections, please provide hit counts for those terms and let us know your availability early next week to meet and confer.

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<Verizon ESI Search Terms (Updated Hits).docx>

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